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Summary record of the 244th meeting
Held at the Palais Wilson, Geneva, on Tuesday, 5 April 2016, at 3 p.m.

Chair: Ms. Cisternas Reyes

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* Reissued for technical reasons on 18 April 2016.

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by parties to the Convention under article 35 (*continued*)

Initial report of Serbia (CRPD/C/SRB/1; CRPD/C/SRB/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of Serbia took places at the Committee table.*

2. **Ms. Paunovic** (Serbia), introducing her country's initial report (CRPD/C/SRB/1), said that Serbia had clearly demonstrated its commitment to the protection of human rights and fundamental freedoms, the promotion of the rule of law and the further strengthening of democratic society. Serbia had ratified the core international human rights treaties and, as a candidate country for accession to the European Union, had focused on reforming its legal framework, improving media freedoms and enhancing human rights for all sectors of society. He pointed out that the Government of Serbia had not been able to monitor the implementation of the Convention on the Rights of Persons with Disabilities in one territory which, pursuant to United Nations Security Council resolution 1244 (1999), was administered entirely by the United Nations Interim Administration Mission in Kosovo (UNMIK). He therefore invited the Committee to seek the necessary information separately from UNMIK.

3. All forms of discrimination, direct and indirect, were prohibited under the Constitution, and Serbia had enacted wide-ranging anti-discrimination legislation, such as the Law on Prevention of Discrimination against Persons with Disabilities, which had made disability-based discrimination an offence and contained measures to promote equality and social inclusion. The Strategy for Improving the Position of Persons with Disabilities for the period 2007-2015 included defined goals and measures with a view to adopting a rights-based approach to matters affecting persons with disabilities.

4. Other initiatives included a mental health strategy aimed at ensuring a comprehensive, psychosocial approach to treatment in the community; and a strategy and accompanying action plan for the period 2014-2018 on protecting and improving the position of nine specific groups of the population vulnerable to multiple forms of discrimination, which included persons with disabilities. A national council for persons with disabilities had also been established and had, in January 2016, initiated the development of a strategy and action plan for the period 2016-2020 on the protection of persons with disabilities.

5. Serbia had made great strides in deinstitutionalizing the care of children with disabilities and had one of the lowest institutionalization rates in Europe. Emphasis had been placed on reducing reliance on residential care in favour of community-based services for children and families, which included day-care centres, supported housing and in-house support services. Institutionalization was now only used in cases where the support required could not otherwise be provided. Accordingly, the number of children with disabilities placed in foster care had increased considerably. There was, however, a shortage of suitable foster families.

6. The Law on the Protection of Persons with Mental Disabilities, adopted in May 2013, protected the human rights of persons with mental health difficulties and stipulated that such persons could be institutionalized voluntarily or, in certain circumstances, without their consent.

7. Under Serbia's programme of educational reform, provision was made for individualized teaching and additional support for children with disabilities. Textbooks

were also required to be provided in the most appropriate format for the needs of the child, including in Braille, electronic formats and in national minority languages.

8. In the area of employment, the 2009 Law on Professional Rehabilitation and Employment of Persons with Disabilities had introduced a mandatory quota system for employers. Furthermore, the 2014 Law on Amendments to the Labour Law obliged employers to provide appropriate alternative employment for a person with disabilities who was not able to perform the tasks for which they had been hired. In the event that no suitable position could be found, the employer could either terminate the employment contract on the ground of redundancy, subject to provision of a severance package, or arrange appropriate work with another employer.

9. Since the Law on Prevention of Discrimination against Persons with Disabilities defined the inaccessibility of public buildings and services as an act of disability-based discrimination, all new construction and renovation projects were strictly regulated by detailed accessibility standards. Moreover, the Guide Dog Assistance Law had made it possible for blind and visually impaired persons to exercise their right to unhindered movement, while the Law on the Use of Sign Language enabled deaf persons to exercise their right to communicate using sign language in procedures involving State authorities, regulated the status of sign language interpreters and contained sanctions for non-compliance.

10. **Ms. Jović** (Office of the Ombudsman, Serbia) said that Serbia had made significant progress over the past decade by, inter alia, ratifying the Convention and improving the legal framework within which persons with disabilities could exercise their rights. However, persons with disabilities continued to face obstacles to the free exercise of the rights enshrined in the Convention and the Serbian Constitution. Those obstacles were largely attributable to deep-rooted discriminatory attitudes and the segregation of persons with disabilities. Moreover, the lack of financial resources, particularly for developing nations and those affected by the economic crisis, had hampered the implementation of certain obligations.

11. It was hoped that, by reducing the inappropriate distribution of funds, the Government would be able to fully implement its objectives, such as ensuring the accessibility of public buildings, which remained a significant area of concern and prevented persons with disabilities from exercising certain rights. In that connection, schools and other educational facilities were often inaccessible, and the system of additional educational assistance for children with disabilities had not been properly developed. Despite legal efforts to promote the employment of persons with disabilities, gaps in the education system had a direct impact on their employment opportunities, preventing them from becoming independent members of society.

12. Lastly, one of the most vulnerable groups of persons with disabilities were those with mental impairments who were often institutionalized rather than being allowed to live in a natural family environment. Although provision had been made for community-based services, they were often poorly developed, poorly funded and there were too few of them. For deinstitutionalization to be successful, a clear plan that included all stakeholders, at both the national and the regional level, and the families of persons with disabilities was needed.

13. **Mr. Janković** (Office of the Ombudsman, Serbia) said that the long-term institutionalization of persons with disabilities was of major concern to the Ombudsman. As the country's national preventive mechanism against torture, the Ombudsman had visited hundreds of places where persons were deprived of their liberty and had made recommendations to the families of such persons in institutions such as prisons, detention centres and psychiatric hospitals, as well as to the institutions concerned and the competent

authorities. Persons with disabilities who were deprived of their liberty were a particularly vulnerable group and, for that reason, the Ombudsman was working closely with the prison authorities in an effort to prevent persons with mental impairments from being imprisoned.

14. Pursuant to his mandate as the national preventive mechanism, the Ombudsman had also visited specialized institutions for the care of persons with disabilities and had issued recommendations to the State authorities. In general, he had reported finding poor conditions, staff shortages and the use of unacceptable practices in contravention of international standards, such as the use of body restraints and isolation for persons with mental impairments. However, even if all of those major issues could be resolved, those institutions were often disconnected from any community, so that residents could spend long periods of time away from — or indeed never again see — their home communities. Further efforts and dialogue with the State authorities would continue with regard to deinstitutionalization and it was hoped that future cooperation would yield positive results. For that to happen, it was important for the competent ministries to cooperate in dealing with the discrete issues affecting persons with mental impairments and those affecting other persons with disabilities.

15. **Mr. Lovászy** (Country Rapporteur) said that the State party was to be commended on its well-prepared initial report and replies to the list of issues (CRPD/C/SRB/Q/1/Add.1). He welcomed the sincere commitment demonstrated by the State party in ratifying an extensive list of international human rights conventions and noted with satisfaction that attitudes towards persons with disabilities in the State party were improving. The fact that Serbia had already enacted a law on the prevention of discrimination against persons with disabilities prior to its adoption of the Convention on the Rights of Persons with Disabilities was particularly encouraging. However, there remained scope for improvement in relation to the definitions of disability and discrimination.

16. In the area of employment, although the rise in the number of employed persons with disabilities was encouraging, he wondered whether any active labour market policies and measures had been adopted to further increase the employment rate. In that connection, the Committee would welcome additional information on the amendments to the Labour Law in respect of the termination of the employment of persons with disabilities. He also wished to know what action the State party intended to take to prevent persons with disabilities from being segregated in sheltered workshops or from being left inactive or unemployed. Information on the efficiency of the quota system should also be provided.

17. He noted that the State party had introduced a National Strategy for Improving the Position of Women and Promoting Gender Equality for the period 2010-2015 and would welcome further information on its implementation and funding. The Committee was, however, concerned at reports that the sanctions contained in the Criminal Code for the offences of sexual violence, rape and sexual abuse discriminated against women victims with disabilities.

18. He said that he would appreciate further information regarding the status of the bill on the use of Serbian Sign Language, including whether steps had been taken to increase the number of sign language interpreters and recognize sign language as the official language of deaf persons in judicial and administrative settings. In the light of the forthcoming general election, he also wished to know whether efforts would be made to provide alternative voting materials, particularly in Braille and easy-to-read formats.

19. Regarding children with disabilities, he asked what concrete policies had been implemented to prevent their institutionalization and ensure that they could attend mainstream schools. Information on the role played by teaching assistants in the schooling of children with disabilities would also be welcome.

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20. **Ms. Quan-Chang** asked whether the State party intended to strengthen the penalties handed down in cases of rape or sexual abuse involving women with disabilities. She also wished to know what measures had been taken to support the parents of children with disabilities and reduce the number of children with disabilities placed in institutional care.

21. **Mr. Ruskus** asked what steps had been taken to promote the training of professionals working with persons with disabilities in the rights recognized in the Convention. He also requested further information on the efforts made to promote a human rights rather than a medical approach to disability. Lastly, he asked whether the State party had established monitoring mechanisms to evaluate the impact of national disability policies, in consultation with organizations of persons with disabilities.

22. **Mr. Buntan** said that he would like to receive more information regarding the definition of discrimination on the basis of disability and the corresponding complaints procedures and sanctions set forth in anti-discrimination legislation. He also wished to know more about the Guide Dog Assistance Law and the availability of sign language interpretation for deaf persons. What steps had been taken to guarantee barrier-free access to public buildings for persons with disabilities and to prosecute companies and organizations that violated accessibility requirements?

23. **Mr. Langvad** asked what efforts had been made to consult and actively involve organizations of persons with disabilities in the development and implementation of legislation and policies relating to disability. He also wished to know what penalties were available to enforce the rights of persons with disabilities in the area of reasonable accommodation and protection against discrimination. What measures were being taken to ensure that children with disabilities, particularly children in institutions, were enabled to have access to mainstream education? How had the 55 million dinars set aside in the 2014 national budget for children in institutions been spent?

24. **Ms. Peláez Narváez** said that she would welcome further information regarding the measures adopted to combat multiple and intersectional discrimination against women and girls with disabilities. She also wished to know what steps had been taken to prevent mothers with disabilities being subjected to measures to control their reproductive capacity without their prior informed consent. As to children with disabilities living in institutions, she asked what efforts had been made to improve their general living conditions and ensure that their parents could visit them regularly.

25. **Ms. Kingston** said that she would like to know how many children with disabilities had been placed in institutional care in 2015 and what steps had been taken to strengthen family outreach activities. Further explanation of the use of psychotropic medications on children with disabilities in institutions would also be welcome.

26. **Mr. Al-Tarawneh** asked whether domestic legislation explicitly prohibited all forms of discrimination on the basis of disability, including the denial of reasonable accommodation. He also wished to know whether the Government had drafted an accessibility action plan to create a barrier-free environment for persons with disabilities and had conducted national disability awareness-raising campaigns.

27. **Mr. Kim** Hyung Shik said that he would like to know what steps had been taken to harmonize the various definitions of disability contained in domestic legislation and to involve persons with disabilities and their representatives in the elaboration of an accessibility road map.

28. **Mr. Babu** asked what measures had been adopted to promote sign language and alternative forms of communication under the Strategy for Improving the Position of Persons with Disabilities.

29. **Mr. Pyaneandee** said that he would like to know what steps had been taken to enforce anti-discrimination legislation. How many complaints involving discrimination had been submitted by persons with disabilities in recent years?

30. **Ms. Degener** asked what specific training had been provided to health professionals responsible for treating children with psychosocial and intellectual disabilities. Detailed information on the number of persons with disabilities living in institutions compared to the number of persons with disabilities living in the community would also be welcome.

31. **Mr. Basharu** asked what concrete measures had been adopted to ensure that children with disabilities could live in the community. He also wished to know what steps had been taken to recognize and promote the use of sign language and Braille.

32. **Mr. You** Liang said that the delegation should comment on efforts to raise public awareness of the need to move from the traditional medical model of disability towards a human rights-based model.

33. **Mr. Lovászy** asked to what extent the State party had taken into account the Committee's general comment No. 2 on article 9: accessibility. He would welcome an update on progress with regard to the standardization of sign language. What legal obligations were in place concerning subtitling and sign language interpretation for nationally broadcast programmes? How many public institutions were accessible and what sanctions were imposed in the case of non-compliance with accessibility standards? He asked about the progress of the telecentre initiative and what options it provided for persons who were deaf or hard of hearing.

34. **The Chair** asked what reasons would justify the exceptional institutionalization of children under the age of 3. Was there a complaint mechanism for children whose rights had been violated in institutions? She wondered how the Government followed up on the reports of the Ombudsman concerning cruel, inhuman or degrading treatment, particularly of children.

The meeting was suspended at 4.30 p.m. and resumed at 4.50 p.m.

35. **Ms. Prijic** (Serbia) said that the Government was developing strong cooperation with organizations of persons with disabilities. In February 2016, as a result of cooperation with the National Organization of Persons with Disabilities and the Union of the Blind, the Law on Prevention of Discrimination against Persons with Disabilities had been amended to allow for the use, in all legal procedures, of a facsimile stamp by all persons who were unable to sign a document owing to their impairment. Work was under way on a new piece of legislation to regulate the status of organizations of persons with disabilities and their funding modalities and on a new strategy for the improvement of the position of persons with disabilities, based on the European Disability Strategy. There were plans to amend the Family Law, the Law on Social Protection and the Law on Financial Support to Families with Children to improve the position of persons with disabilities, taking due account of the recommendations of the Ombudsman.

36. **Mr. Vukicevic** (Serbia) said that the definition of the offence of intercourse with a defenceless person in the Criminal Code was not discriminatory but intended to provide additional protection, and it did not rule out the applicability of the crime of rape. It was often not possible to secure a prosecution for rape, the principal element of which was violence, because persons with disabilities were unable to put up resistance. The crime of intercourse with a defenceless person had been introduced in order to make prosecution possible even in such cases. If the victim had put up resistance, the crime of rape applied and the potential sentence was 3 to 12 years' imprisonment, with disability as an aggravating circumstance.

37. **Ms. Kotevic** (Serbia) said that in 2009 Serbia had developed a master plan for the transformation of residential social protection institutions for children without parental care and children with developmental difficulties. According to data from 2015, there were a total of 668 children in such institutions. Under the plan, the institutionalization of children under the age of 3 was permitted only in exceptional circumstances, usually in cases of abuse or neglect by the child's family, and then only as an urgent, temporary measure until placement with a foster family could be arranged. There were now more than 6,200 children in the foster care system, approximately 30 per cent of whom were in special foster care for children with intellectual disabilities. Training was provided to all prospective foster carers, and there were special training packages for carers of children with particular disabilities.

38. Local services, such as community day care for children not in mainstream education, weekend respite care and psychosocial and educational workshops, had been developed to support families of children with disabilities. Persons with disabilities were given skills to live independently in supported housing when they were no longer able to live in the family home because of their parents' old age. In order to ensure the uniformity of the quality of services provided across the country, service and professional licensing processes would be completed by May 2016. The State continued to earmark funds for local governments to provide social protection services at the local level. Organizations of persons with disabilities could apply for State financial and technical support to provide services locally, such as personal assistance services.

39. Much work remained to be done in order to fully implement the transformation plan, but funding was available from the European Union and other donors for that purpose. The capacity of residential institutions had already been considerably reduced and replaced with community-based services, and some larger institutions had been divided into smaller units to facilitate an individualized approach to clients.

40. **Mr. Cakarevic** (Serbia) said that psychotropic medications could be prescribed only by psychiatrists and neuropsychiatrists. Medications administered to children in institutions must be on the approved list of medications adopted jointly by the National Health Insurance Fund and the Medicines and Medical Devices Agency. All medications must be in compliance with European Union legislation, but there was no requirement to meet United States standards. Pursuant to 2013 legislation on patients' rights, no medical procedure could be carried out without the patient's consent or that of their legal guardian if they were a child or a person without legal capacity. If the medical professionals in charge believed that the guardian was not acting in the patient's best interests, they were required to notify the guardianship authority. Since the deinstitutionalization process had begun, there had been a marked decrease in the occupancy rate in many of the larger psychiatric hospitals.

41. **Ms. Prijic** (Serbia) said that the Law on Professional Rehabilitation and Employment of Persons with Disabilities was based on a social model of disability. Work capacity assessments were conducted on the basis of the provisions of that law by a multidisciplinary committee of physicians, psychologists, social workers and other professionals who evaluated each individual's prospects for employment or career advancement. As a result of such assessments, almost 5,000 persons with disabilities who had been registered as unemployed had entered employment in 2015.

42. **Ms. Rajsic** (Serbia) said that recent legislation required the public media to make all relevant information available to persons with disabilities as well as other vulnerable persons. The public broadcaster was obliged to use sign language and there were plans to provide training to the media on sign language and captioning. The Government financed civil society projects to produce media content of relevance to, and developed with the participation of, persons with sensory disabilities. Regarding the forthcoming general

election, the regulatory body for electronic media had adopted guidelines on information sharing for the benefit of persons with hearing impairments.

43. **Ms. Gavrilovic** (Serbia) said that new legislation on accessibility had been enacted, focusing on compliance with the technical standards for the planning, design and construction of public and commercial buildings and spaces and residential buildings of 10 or more apartments. A register of accessible premises would be prepared. The relevant legislation stipulated penalties for failure to comply with building accessibility standards. The entry into force of the law on inspection oversight in April 2016 was expected to enhance accessibility. Regarding public transportation, work was under way to bring all legislation into line with European standards.

44. **Ms. Prijic** (Serbia) said that all but one of the social welfare institutions were fully accessible and the national employment office was more than 90 per cent accessible. Pension and disability insurance fund branch offices would all be made accessible by the end of 2016. Work was under way to make other facilities, such as the police administration, accessible.

45. **Mr. Cakarevic** (Serbia) said that all primary health-care facilities were accessible to persons with disabilities. However, persons with disabilities could still experience difficulties in accessing the upper floors of a number of secondary health-care facilities on account of the absence of lifts. The Government would continue its efforts to ensure the accessibility of all health-care facilities.

46. **Ms. Loncar-Kasalica** (Serbia) said that the Ministry of the Interior had worked diligently to ensure the physical accessibility of its buildings to persons with disabilities, including through the installation of access ramps and lifts. However, there were still a number of police stations that were not fully accessible to persons with disabilities owing to the structure of the buildings. Where persons with disabilities were unable to come to a police station for administrative purposes, a police officer could visit them at their habitual place of residence to provide assistance. However, persons with disabilities were not normally required to come to a police station for such purposes. The ministry responsible for cultural affairs was working to ensure the physical accessibility of all cultural institutions in the country.

47. Serbian law recognized sign language as the official language of deaf persons and guaranteed the right of those persons to sign language interpretation services when appearing before the public authorities and in certain workplace scenarios. Sign language interpretation services had first been introduced in 2010 and were funded by the Ministry of Labour. Sign language interpreters were attached to associations for deaf persons and provided interpretation services throughout the national territory. However, demand for sign language interpretation services currently exceeded supply. The education and labour ministries, in cooperation with associations for deaf persons, were developing a training programme in an attempt to fill the supply gap. A telecentre providing a remote sign language interpretation service had begun to operate in Belgrade in 2015. The telecentre was manned by four sign language interpreters who provided an interpretation service to deaf persons through smartphones and tablets. In order to prevent discrimination in access to employment, the cost of providing sign language interpretation services during job interviews was borne by the State and never by the employer. Wherever possible, public television programmes were interpreted into sign language.

48. Associations for blind persons were involved in providing training on the use of guide dogs. Under Serbian law, the definition of a guide dog covered not only dogs used to guide blind persons but also dogs providing other services to persons with disabilities. There were several centres for training guide dogs in Serbia. At the outset, guide dogs received comprehensive training that would enable them to provide any type of service to a

person with disabilities. The Government was in the process of securing additional funds for the purchase of more guide dogs.

49. **Ms. Paunovic** (Serbia) said that the United Nations Interim Administration Mission in Kosovo would be best placed to provide information on the state of implementation of the Convention and the status of persons with disabilities in that region.

50. **Ms. Kotevic** (Serbia) said that the anti-discrimination law characterized multiple discrimination as a serious form of discrimination. The Law on Prevention of Discrimination against Persons with Disabilities required the introduction of mechanisms to protect those persons. In cases of discrimination against a person with disabilities, the individual concerned, his or her legal guardian, personal assistant or a representative of a human rights institution could initiate court proceedings or lodge a complaint with the Commissioner for the Protection of Equality. The cases brought before the courts under the anti-discrimination law and the Law on Prevention of Discrimination against Persons with Disabilities involved, inter alia, discrimination in employment, unlawful sexual intercourse with a minor and racial discrimination.

51. **Ms. Milenkovic** (Serbia) said that, under Serbian law, persons with disabilities were entitled to stand for election and to vote, provided that they were over 18 years of age, enjoyed full legal capacity and were included in the electoral register. Serbian law also provided that persons with disabilities wishing to vote could be accompanied by a personal assistant. If a person with disabilities was unable to reach the polling station, he or she could vote at home in the presence of representatives of the election authorities. A set of rules and instructions governed the process of voting with the help of a personal assistant. Furthermore, the Centre for Independent Living and the national organization for persons with disabilities, with support from the United States, was undertaking a project aimed at increasing the participation of those persons in the political life of the country.

52. **Ms. Simic** (Serbia) said that the Ministry of Education had completed the transition from the medical to the social model of disability. Serbian law guaranteed the right of all children to be enrolled in mainstream schools at all levels. Schools were required to tailor curricula and teaching plans to the educational needs of individual children. A considerable number of children already followed individual learning plans. There were special schools for children with developmental difficulties and disabilities, as well as separate streams for those children in some mainstream schools. Recent surveys indicated that more than 40 per cent of the children with disabilities living in residential care facilities had entered the mainstream education system.

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53. **Mr. Al-Tarawneh** asked what measures were in place to ensure the protection and safety of persons with disabilities in emergency situations and why organizations of persons with disabilities were not invited to play a role in their implementation. It would also be useful to receive additional information on foster care allowances and the impact of the plan to transform residential social protection institutions for children.

54. **Mr. Langvad** asked how the State party reconciled the construction of new care institutions for persons with disabilities with its efforts to expedite the deinstitutionalization process, and how much had been spent on building new institutions instead of community-based living facilities.

55. **Mr. You** Liang asked why sign language was not the primary means of communication with deaf persons during police questioning and criminal proceedings; whether deaf persons who filed a lawsuit or a complaint had to bear the cost of sign language interpretation services; and whether the decision to enrol a child in either a mainstream or special school was linked to the nature of his or her disability.

56. **Ms. Kingston** asked whether persons with disabilities had provided input into the different laws and strategies designed to protect them in case of emergency or natural disaster; whether adequate psychosocial support was available for persons with disabilities who found themselves in an emergency situation; whether officials working in the law enforcement and justice sectors received training on the Convention; and whether persons with disabilities were provided with reasonable procedural accommodations in legal proceedings as a matter of course. It would also be useful to receive information on the frequency of recourse to physical, chemical and mechanical restraints in institutions and hospitals for persons with disabilities and to know whether helplines for women with disabilities who were the victims of violence were accessible to deaf women.

57. **Mr. Buntan** asked whether guide dogs were allowed into airport buildings in Serbia and whether the State party had adopted any temporary special measures aimed at increasing the number of persons with disabilities working as professionals in the justice sector.

58. **Mr. Kim** Hyung Shik said that, in his view, the fact that institutional care was provided by numerous entities was not conducive to achieving the goal of deinstitutionalization, as those entities could have a vested interest in the current system remaining unchanged. He invited the delegation to respond to that observation. He also asked whether the State party planned to increase the involvement of organizations of persons with disabilities in providing institutional care.

59. **Ms. Quan-Chang**, noting that the State party tended to prioritize refurbishing rather than closing care institutions for persons with disabilities and that the number of persons with disabilities being institutionalized was consequently on the rise, asked what measures the State party envisaged taking to curb further institutionalization of those persons. She welcomed the fact that the national preventive mechanism against torture was empowered to conduct visits to places where persons with disabilities were deprived of their liberty, such as psychiatric hospitals. However, the Committee was deeply concerned by the findings of the visits conducted to such institutions, which pointed to a series of abuses, including the overmedication and prolonged isolation of persons with disabilities, as well as the use of physical and chemical restraints. Moreover, the Committee had received reports that women with disabilities were forcibly administered medication over a prolonged period to prevent pregnancy as a result of sexual abuse. She asked what measures the State party intended to take to protect women and children with disabilities residing in such institutions against sexual abuse, and whether the protocol adopted to that end in 2006 had proven effective.

60. **Ms. Degener** said that the delegation should explain the scope of the amendments made to the law on legal guardianship and the reasons behind the growing number of persons with disabilities being placed under legal guardianship regimes. She asked how many persons with disabilities had been institutionalized since Serbia had ratified the Convention.

61. **Mr. Pyaneandee** said that there was evidence to suggest that, in Serbia, persons with disabilities were often left with little alternative but to resort to the court system to vindicate their rights. He asked whether the State party had considered offering persons with disabilities alternative, more expeditious and less costly legal remedies for violations of their rights.

62. **Ms. Peláez Narváez** asked how the State party guaranteed the protection of persons with disabilities who were refugees or asylum seekers and what services were available to women with disabilities who were the victims of violence and abuse. How did care institutions guarantee the right of women with disabilities to give their free, prior and

informed consent for the purpose of administering contraceptive medication? Had the State party adopted any specific policies vis-à-vis migrants with disabilities?

63. **The Chair** asked whether a person with an intellectual or psychosocial disability who committed a criminal offence could be declared legally irresponsible and, if so, whether he or she would be subject to security measures for an extended period of time. She also asked what measures were in place to ensure that children with disabilities were registered at birth and that their right to an identity and a nationality were upheld.

The meeting rose at 6.05 p.m.